

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DICE COMMUNICATIONS, LLC,

Plaintiff,

vs.

ALFRED ZAPPOLO, JEFFREY MELTZER,
PETER IOVINO, ANEUDYS PINEYRO,
KEATON PRETE, THOMAS McCARTHY,
NICHOLAS CARMARDI, BETH SCELZA,
and LANROVER NETWORK SERVICES,
INC.,

Defendants.

8:23CV155

ORDER

This matter is before the Court sua sponte. This case involves multiple issues concerning non-compete agreements. On or about April 23, 2024, the FTC issued a ruling finding that non-competes would no longer be considered valid for certain employees as they are an unfair method of competition. The final rule was to take effect 120 days after the filing in the Federal Register. The specific Rule can be found in the Code of Federal Regulations at [16 CFR Part 910.1 \(2024\)](#).

In view of this new regulation, the Court is ordering the parties to file a brief, on this issue only, outlining the applicability of this Regulation to the present case. The parties should also outline what effect this has on the motions of the parties, and if the Regulation is applicable, how the Court should proceed with the case, and what, if any, cause of action should be dismissed on this basis. The Court will give the parties 21 days from the date of this Order to file their respective briefs.

IT IS SO ORDERED.

Dated this 21st day of May, 2024.

BY THE COURT:

s/ Joseph F. Bataillon

Senior United States District Judge